

Attorney Docket 5577-236 (RSW920000185US1-IBM 019 PA)
Serial No. 09/921.536

OFFICIAL RESPONSE

REMARKS/ARGUMENTS

Claims 1-32 are pending in the present application. The claims have not been amended. Claims 1, 23-29, 31 and 32 stand rejected under 35 U.S.C. §103 as being unpatentable over U.S. Pat. App. Pub. No. US 2003/0018913 (hereinafter the '913 application) in view of U.S. Pat. No. 5,535,276 (hereinafter the '276 patent). Additionally, claims 2, 3, 5, 7-11, 14, 15 and 30 stand rejected under 35 U.S.C. §103 as being unpatentable over the '913 application in view of the '276 patent and further in view of U.S. Pat. No. 6,829,356 (hereinafter the '356 patent). Still further, claims 4, 6, 12, 13 and 20 stand rejected under 35 U.S.C. §103 as being unpatentable over the '913 application in view of the '276 patent, the '356 patent and further in view of Schneier - Applied Cryptography. Still further, claims 16-19 and 21-22 stand rejected under 35 U.S.C. §103 as being unpatentable over the '913 application in view of the '276 patent, the '356 patent and further in view of Menezes et al. (Handbook of Applied Cryptography).

35 U.S.C. §103

The '913 application is relied on by the Examiner as the primary reference in each of the standing rejections under 35 U.S.C. §103. A "DECLARATION OF PRIOR INVENTION IN THE UNITED STATES TO OVERCOME CITED PATENT (37 C.F.R. §1.131)" is being filed concurrently herewith. It is submitted that this declaration provides sufficient evidence to show a conception date for the subject matter of claims 1-32 prior to the June 20, 2001, filing date of the '913 application as well as diligence on the part of the inventors and their attorneys just prior to the June 20, 2001 filing date of the '913 application until the filing of the subject application on August 3, 2001.

Accordingly, it is submitted that the '913 application is not prior art as to claims 1-32 and cannot form a basis for a rejection under 35 U.S.C. §103. Hence, the applicants respectfully request that the rejections to claims 1-32 be withdrawn.

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It is believed that the filing of this paper and the accompanying RULE 131 declaration does not raise any new issues. Accordingly, entry of these papers in this application is respectfully requested.

CONCLUSION

The Examiner is encouraged to contact the undersigned to resolve efficiently, any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,
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